



WE

Women's Voices for the Earth

EXHIBIT 3
DATE 3-30-07
SB 423

Healthy Children, Clean Water: An Opportunity for Montana

Vote Yes on SB 423 by Christine Kaufmann

This bill addresses elemental mercury in products like thermostats, thermometers, and some measuring devices which *unnecessarily* contain mercury; and bulk elemental mercury in schools.

PROTECT THE HEALTH OF MONTANA CHILDREN-VOTE YES

Mercury is linked to developmental retardation, learning disabilities and impaired motor function in children. Removing mercury from schools and taking dangerous mercury products off of the market will protect our children.

KEEP MONTANA'S WATER CLEAN-VOTE YES

Montana has more than 400,000 acres of lakes and 1,000 miles of streams that are impaired due to mercury contamination. High levels of mercury have forced the state to issue fish advisories for certain Montana water bodies. By keeping these toxic products out of Montana landfills, we prevent mercury from leaching into the state's world class rivers, lakes, and streams and threatening our 300 million dollar a year fishing industry.

BUILD BUSINESS OPPORTUNITIES-VOTE YES

Universal waste recycling is an emerging market nationwide. Requiring safe disposal of toxic mercury products will give Montana the opportunity to participate in this booming market and bring new business to the state.

PUT MONTANA FIRST-VOTE YES.

Don't allow Montana to become a dumping ground for unwanted toxic products. Many states have refused to sell products containing mercury. Instead, they only accept non-mercury products—sold by the same manufacturers.

A VOTE FOR THIS BILL IS A VOTE FOR A HEALTHY MONTANA

VOTE YES ON SB 423

For more information, contact Erin Thompson at 406-543-3747 or
erin@womenandenvironment.org

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How does this bill provide a solution to the problem?

Phases out the sale and distribution of mercury-containing thermostats, thermometers, blood pressure gauges, barometers and other mercury-containing measuring devices that have a viable, economic alternative.

- This bill restricts manufacturers from selling mercury-containing products in the state. These same manufacturers make non-mercury products that cost the same. Eleven states have enacted legislation that does this and we need to be sure that Montana does not end up with excess stock mercury products.
- The bill is designed to phase-in the sales ban so that businesses will have 4 more peak sales periods (Spring and Fall 07, Spring and Fall 08) to deplete any stock of mercury products. At that time, manufacturers will no longer be selling these products to the wholesalers and retailers in the state. Instead, the manufacturers will be supplying *only* non-mercury alternatives for businesses to sell.
- Over 95% of hospitals in Montana have already replaced mercury-containing devices with mercury free Alternatives. Hence, there is no need to sell them here.
- 90% of pharmacies nationwide, including major retailers such as Target, Wal-Mart, K-Mart, Toys-R-US and Walgreen's have stopped selling mercury-containing thermometers.
- Mercury-containing thermostat sales are on the decline as many consumers are choosing to purchase more energy efficient, programmable thermostats.

Requires manufacturers to notify the state about mercury-containing products sold in the state through an interstate clearinghouse.

- Eight states require this already, so manufacturers would not have to do anything they are not already doing in order to sell in other states. This is important in creating a national database of how much mercury exists in products in our environment.

The DEQ will join the Interstate Mercury Reduction and Education Clearinghouse in order to facilitate notification and labeling requirements.

This means a big bang for the buck *and* the requirements will not vary from state to state, making it easy on manufacturers to comply.

Requires manufacturers to label mercury-containing products sold in the state.

- Ten states already require this, so many manufacturers are beginning to do it. Members of the National Electrical Manufacturers Association, which includes major manufacturers Honeywell, GE, White-Rodgers and more, started labeling mercury-containing products they sell nationwide. This law ensures that all manufacturers that sell in the state do this.

Beginning in 2012, restrict from landfills the disposal of mercury-containing products no longer sold in the state and fluorescent light bulbs that contain mercury (HOUSEHOLDS ARE EXEMPT).

- The major impact of this section will be that commercial agencies and businesses will need to recycle their fluorescent bulbs to prevent the mercury in them from entering the air and water.
- Montana has contracted with Onyx Environmental Services to pick up mercury-containing lamps from participating agencies. This company charges \$.40 per 4 foot tube, the most common type of bulb used in buildings. This is one of several options that are available. Because bulbs last several years, most businesses will not need to replace many bulbs at once. But even if a business replaced 100 bulbs one year, it would cost \$40.00 – a small price to pay for clean water.
- P.E.T.E.'s out of Missoula will recycle bulbs now and contracts with Ecolights to do so. Sure-way Systems, Inc. of Deer Lodge is interested in beginning a bulb recycling pick-up business in the state and is equipped to do this if they can secure contracts.



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How does this bill provide a solution to the problem?

Phases out the sale and distribution of mercury-containing thermostats, thermometers, blood pressure gauges, barometers and other mercury-containing measuring devices that have a viable, economic alternative.

- This bill restricts manufacturers from selling mercury-containing products in the state. These same manufacturers make non-mercury products that cost the same. Eleven states have enacted legislation that does this and we need to be sure that Montana does not end up with excess stock mercury products.
- The bill is designed to phase-in the sales ban so that businesses will have 4 more peak sales periods (Spring and Fall 07, Spring and Fall 08) to deplete any stock of mercury products. At that time, manufacturers will no longer be selling these products to the wholesalers and retailers in the state. Instead, the manufacturers will be supplying only non-mercury alternatives for businesses to sell.
- Over 95% of hospitals in Montana have already replaced mercury-containing devices with mercury free Alternatives. Hence, there is no need to sell them here.
- 90% of pharmacies nationwide, including major retailers such as Target, Wal-Mart, K-Mart, Toys-R-US and Walgreen's have stopped selling mercury-containing thermometers.
- Mercury-containing thermostat sales are on the decline as many consumers are choosing to purchase more energy efficient, programmable thermostats.

Requires manufacturers to notify the state about mercury-containing products sold in the state through an interstate clearinghouse.

- Eight states require this already, so manufacturers would not have to do anything they are not already doing in order to sell in other states. This is important in creating a national database of how much mercury exists in products in our environment.

The DEQ will join the Interstate Mercury Reduction and Education Clearinghouse in order to facilitate notification and labeling requirements. This means a big bang for the buck and the requirements will not vary from state to state, making it easy on manufacturers to comply.

Requires manufacturers to label mercury-containing products sold in the state.

- Ten states already require this, so many manufacturers are beginning to do it. Members of the National Electrical Manufacturers Association, which includes major manufacturers Honeywell, GE, White-Rodgers and more, started labeling mercury-containing products they sell nationwide. This law ensures that all manufacturers that sell in the state do this.

Beginning in 2012, restrict from landfills the disposal of mercury-containing products no longer sold in the state and fluorescent light bulbs that contain mercury (HOUSEHOLDS ARE EXEMPT).

- The major impact of this section will be that commercial agencies and businesses will need to recycle their fluorescent bulbs to prevent the mercury in them from entering the air and water.
- Montana has contracted with Onyx Environmental Services to pick up mercury-containing lamps from participating agencies. This company charges \$.40 per 4 foot tube, the most common type of bulb used in buildings. This is one of several options that are available. Because bulbs last several years, most businesses will not need to replace many bulbs at once. But even if a business replaced 100 bulbs one year, it would cost \$40.00 – a small price to pay for clean water.
- P.E.T.E.'s out of Missoula will recycle bulbs now and contracts with Ecolights to do so. Sure-way Systems, Inc. of Deer Lodge is interested in beginning a bulb recycling pick-up business in the state and is equipped to do this if they can secure contracts.